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ECF

The Honorable Philip M. Halpern, U.S.D.J.
Southern District of New York
300 Quarropas St., Courtroom 520
White Plains, NY 10601- 4150

Application granted.

SO ORDERED.



Philip M. Halpern
United States District Judge

Dated: White Plains, New York
April 19, 2023

Re: United States v. Donavan Gillard, Dk No. 7:20-cr-00626 (PMH)
Third Defense Request for Extension of Time to File Motion Due April 17, 2023
to May 17, 2023

Dear Judge Halpern:

Having yesterday missed the Court's extended filing deadline, I write first to apologize for my oversight, next to explain the reason for my failure to file, and, finally, to seek a third, 30-day extension of the deadline.

In need of an affidavit in support from my client, I have, since the beginning of Easter week, been diligent in dialing FCI Hazelton daily in the hopes of arranging an interview with Mr. Gillard. In that entire time, the prison's telephone system fails to connect my call beyond an automated instruction to dial zero for the operator. Thereafter the call continues to ring without an answer by the operator or anyone else at the institution. Yesterday, I sought the intercession of regional counsel in penetrating the penitentiary walls. I received an email from Ms. Diana Jacobs Lee, Deputy Regional Counsel for the BOP Mid-Atlantic Regional Office inquiring if a legal call with Mr. Gillard was successfully scheduled. Last night, Mr. Gillard called and explained that it is his understanding that his counselor, Ms. Villaraza, the person who in the past has scheduled legal calls, has been out of the facility for the past month for various training sessions.

I therefore write yet again to seek a 30-day extension of time, until May 17, 2023, to file Mr. Gillard's 2255 motion.

Thank you.

Respectfully submitted,
s/Richard Palma
Richard Palma